

Richard S. Taffet  
Richard.Taffet@Bingham.com  
Diane C. Hertz  
Diane.Hertz@Bingham.com  
BINGHAM MCCUTCHEN LLP  
399 Park Avenue  
New York, New York 10022  
Tel: (212) 705-7000

and

Bennett D. Krasner, Esq. (bk 8375)  
1233 Beech Street #49  
Atlantic Beach, NY 11509  
Tel: (516) 889-9353

*Attorneys for Plaintiff  
L & L Wings, Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

L & L WINGS, INC.,

Plaintiff and Counterclaim Defendant,

-against-

MARCO-DESTIN INC., 1000 HIGHWAY  
98 EAST CORP., PANAMA SURF &  
SPORT, INC. AND E & T INC.,

Defendants and Counterclaim Plaintiffs.

Civil Action No. CV-07-4137  
(BSJ) (GWG)

**SUPPLEMENTAL DECLARATION OF MICHAEL HEBERT IN OPPOSITION TO  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Michael Hebert, pursuant to 28 U.S.C. § 1746, hereby declares:


1. I am the sole proprietor of R.E.I. Investigations ("REI"), which is located in Lafayette, Louisiana. REI is a private investigative agency.

2. On or about March 13, 2007, I was contacted via e-mail by Michael Martinez of Advantage PI, Inc., which is located in Tampa, FL. Mr. Martinez instructed me to visit and photograph certain Wings Beach & Sportswear establishments in Destin and Ft. Walton Beach, Florida, to note any "Wings" signage inside the store and on employees' clothing, and to purchase a small item under \$2.00 and obtain the bag and receipt.

3. Attached hereto as Exhibit A is a true and correct copy of my report prepared at the request of Mr. Martinez regarding the aforementioned assignment.

4. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed at Lafayette, Louisiana on February 01, 2008.

  
\_\_\_\_\_  
Michael Hebert